

JURIES

31-1943

Milton Washburn Atlanta, Georgia On Grand Jury Daily World

The names of 45 Fulton County residents, including one Negro, were drawn by Superior Court Judge Hugh M. Dorsey Friday for grand jury service during the two months' term beginning September 7. The jury will be made up of 23 persons, selected from this list.

The name of Milton Washburn, veteran Pullman porter, Johnson Avenue, N. W., was among the 45 drawn by Judge Dorsey.

Alex Hamilton, 102 Howell St., N. E., is serving on the present grand jury whose service expires at the end of this month.

New York, N. Y.
Peoples Voice

Three Harlemites Named To Grand Jury Panel

Three Harlemites have been added to the NY County grand jury panel. It was reported this week by Wilkins, editor of Crisis Magazine, official organ of the NAACP, Lester Granger, executive secretary of the National Urban League; and Andrew Burris, librarian at downtown's ultra-aristocratic Century Club.

Selection for grand jury service is commonly considered a recognition of responsible citizenship.

Alvin Spicer Is Not Guilty Of Murder Charge

AUG 7 - 1943
Trial Lasts 3
Days; Jury
Out Two Hours

Atlanta, Ga.

Edwin Alvin Spicer, alias Redman, was acquitted of the charge of slaying Richard Mathis in Fulton Superior Court early Friday following a three-day trial that packed Judge E. E. Pomeroy's courtroom with spectators.

An all-white jury deliberated out two hours to acquit the

ing car waiter, who said in a well-rendered statement Thursday that he was forced to shoot Mathis on the night of February 21, after the deceased advanced on him with a knife, threatening to kill him. Spicer claimed that Mathis previously had "bullied" him out of \$5 on the fake claim that he owed him the money, and threatened to kill him later.

State's Solicitor Judge Parham and Defense Counsel W. S. Howard followed the dinner recess and held the courtroom spellbound with masterful oratory and lawyers' techniques. Judge Parham said, following the Spicer trial, that the misdemeanor charges against the Kilpatrick-Evans duo would probably be tried in September court.

DENIED ACCUSATION

Spicer denied an accusation by state's witnesses that he offered money to George and Edyth Hill Morris, erstwhile 882 West Hunter Street residents, to leave town and take their prosecuting testimony with them. He said the Morris came to his Parsons Street home and offered to take money, but that he called his attorney and took them to see him, where their offer was refused.

Edyth Morris testified that Wylie Kilpatrick and Eva Evans came to her home and offered to pay the expense of her husband and herself to Chicago. Finally, she and her husband accepted the offer and were given \$55 and taken in Spicer's car to Marietta where they caught a bus to Chicago, the Morris woman stated. Attorney Howard tried to make the witness admit that she and Wylie came to his house to getman of the Negro Labor Committee's advice on leaving this section and that he refused it, but the witness stuck fast to her denial.

(Kilpatrick and Eva Evans are under indictment on misdemeanor charges of attempting to obstruct justice by attempting to induce the Morris to leave the city and the jurisdiction of the court.)

George Morris said he and his wife went to Attorney Howard's house at Red's and Wylie's suggestion.

GARLAND ARGUES

In his second unsworn statement, Spicer accused George Morris' mother of stating that her son wanted to leave town on account of a charge of suspicion of robbery reported against him by a white

ing car waiter, who said in a well-rendered statement Thursday that he was forced to shoot Mathis on the night of February 21, after the deceased advanced on him with a knife, threatening to kill him. Spicer claimed that Mathis previously had "bullied" him out of \$5 on the fake claim that he owed him the money, and threatened to kill him later. State's Solicitor Judge Parham and Defense Counsel W. S. Howard followed the dinner recess and held the courtroom spellbound with masterful oratory and lawyers' techniques. Judge Parham said, following the Spicer trial, that the misdemeanor charges against the Kilpatrick-Evans duo would probably be tried in September court.

On Grand Jury Amsterdam News New York, N. Y.



Frank R. Crosswaith, chairman of the Negro Labor Committee and member of the New York City Housing Authority, was among the prominent men serving on the Grand Jury this

South Forced To Use Race Men On Jury

Philadelphia, Pa. (ANP)—Another "sacred tradition" of the south appears doomed, at least for the duration, due to the acute shortage of manpower, it was announced here Wednesday. The Fulton Superior court which began its fall session Tuesday disclosed that 150 of the 48 persons necessary to make up the four panels needed. More than

half of the 48 selected attempted to get off because of various business reasons.

Court officials, who in spite of the Scottsboro decision holding that colored persons must be called for duty service, have for the most part failed to do so are seriously considering a more liberal use of the large reserve of colored manpower on county juries.

Four Atlantans Serve As Jurors Amsterdam News New York, N. Y.

ATLANTA (ANP)—Indication that a manpower shortage has been more effective than the supreme court's Scottsboro decision in getting Negroes called for service on Georgia juries was the presence last week in the Fulton Superior court of four jurors, three of whom served on petit juries and the fourth a grand juror.

Sworn in and for the first time in memory of pioneer Atlantans actually used in important trials were petit jurors, Edgar Jenkins, a Pullman porter; H. L. Ferrell, retired railway mail clerk; and Robert McGhee, a locomotive fireman. The grand juror who has been active in the current investigation of a ball bond racket in Atlanta, is M. Washburn, retired businessman.

An Encouraging Sign Amsterdam News New York, N. Y.

For the first time in history two Negroes are serving on the grand jury recently called in Jefferson County, Ala., in which Birmingham is located. In the midst of race riots and other forms of serious racial ills, the recognition by the officials of Jefferson County of the right of Negro citizens to serve on the county grand jury is a wholesome and refreshing sign.

The basis of trial by jury is that men charged with crimes should be judged by their peers, or equals. Therefore, by naming two Negroes to its grand jury Jefferson County, Ala., has recognized colored citizens as the equals of whites in the courts. If Jefferson and other southern counties would now recognize the fact that Negro citizens should have equal political, economic, educational and other fundamental rights as American citizens and then grant them, they would soon elevate the standards of citizenship and living in the South beyond all dreams.

We purposely omitted social equality from this list, because it is entirely academic and unimportant. Social equality, perennially used by many white southerners as a red-herring to confuse the color question, is a personal matter between black and white individuals. Even strict segregation laws below the Mason-Dixie line have failed to prevent voluntary social intercourse between (as well as indecent) members of both races. The sooner it is realized that the other kinds of equality are the really important ones, the better off the South and the entire country will be. The naming of two Negroes to the Jefferson County, Ala., grand jury was a right step in the right direction.

Negroes' Names Go Into Jury Box

Norfolk, Virginia
PENSACOLA, Fla.—(ANP)—The result of a bitter court battle over the issuing the last term of court, the board of county commissioners for the first time in the memory of most residents last week placed the names of Negroes in the jury box.

Judge Ernest Mason severely criticized Attorney Bert Lane, white, for raising the Negro juror issue during a murder trial at the last term of court. Judge Mason's contention was that it would cost the "county too much money" to include the names of Negroes in the box from which juries are selected. Mr. Lane cited that failure to include Negroes was a clear violation of a supreme court decision handed down several years ago in the Scottsboro case.

2 Race Members On Alabama Jury Norfolk, Virginia BIRMINGHAM, Ala.—(A-

NP)—For the first time in the history of Jefferson County, two Negroes now serve as members of the grand jury which was organized Wednesday, October 6.

The two members whose names were drawn from the box by Circuit Judge John C. Morrow are Charles J. Wiggins, a warehouseman, and James Glover, a candymaker. Courthouse officials recalled in connection with their seating that the Scottsboro case was reversed by the U. S. Supreme Court after conviction of the nine boys on the grounds that Negroes were systematically excluded from grand and petit jury service, and additional grounds that no Negroes were members of the grand jury that indicted them.

Circuit Judge John C. Morrow are Charles J. Wiggins, a warehouseman, and James Glover, a candymaker. Courthouse officials recalled in connection with their seating that the Scottsboro case was reversed by the U. S. Supreme Court after conviction of the nine boys on the grounds that Negroes were systematically excluded from grand and petit jury service, and additional grounds that no Negroes were members of the grand jury that indicted them.

Two Negroes On Alabama Grand Jury

Judge Scores Jury For Judge Overrules Jury, Awards "Defamation Of Race" \$6,000 Against Policeman

Journal and Guide

BROOKLYN, N. Y. — (ANP) — Declaring that the August grand jury's "defamation of an entire race," is an insult to democracy, Brooklyn's County Judge Nathan R. Sobel Thursday blasted the "crime wave" hoax which resulted in virtually blockading the Bedford-Stuyvesant area by citing actual crime statistics in a Brooklyn court room.

"The records of this court indicate," said Judge Sobel, "that this year only 220 Negroes have been convicted of felonies committed in the Bedford-Stuyvesant area. This constitutes less than one-fifth of one percent of the youth and actual population of that area."

In further clarifying himself, Judge Sobel told the crowded court room and the members of the incoming grand jury that "crime is an economic disease." "Who is so ignorant who would contend that any one race has a greater propensity for crime than another?" the judge asked. "This is singularly like the Hitler doctrine of Aryan superiority," stated Sobel.

Henry E. Ashcroft, a Negro probation officer, is said to have established judicial precedent when he addressed the incoming white Kings County grand jury. He addressed the jury at Sobel's invitation.

Ashcroft made the speech that he was howled down for making at a meeting of the Midtown Civic League in Brooklyn on Sunday, when that organization met to "demand action" upon the alleged crime wave in the Negro Bedford-Stuyvesant section of Brooklyn.

According to a news correspondent, the meeting was used for a frenzied attack upon the Negro people that "would have done a klan rally justice."

Judge Sobel warned the incoming grand jury to avoid the perils created by the August grand jury when the latter issued its presentment alleging a "crime wave" in the Bedford-Stuyvesant area.

GREATER THAN EVIL

He called the presentment, "a danger which is greater than the evil it is to be corrected." "The presentment," the judge explained, "indicts an entire people for the faults of a very, very few. It places a great body of decent law-

Norfolk, Virginia
abiding Negroes in a most humiliating position; it stirs up resentment, hatred and fear."

One of the most recent developments in the Bedford-Stuyvesant situation was the resignation of Patrolman David Liebman. At the meeting of the Midtown Civic League, Liebman charged that the morale of the police department under Mayor LaGuardia's leadership "is at the lowest level in years."

Pensacola Puts Negroes' Names In Its Jury Box Chicago Defender—

PENSACOLA, Fla. — (ANP) —

As the result of a bitter court battle over the issue during the last term of court, the Board of county commissioners for the first time in the memory of most residents last week placed the names of Negroes in the jury box. Chicago, Ill

Judge Ernest Mason severely criticized Atty. Bert Lane, white for raising the Negro juror issue during a murder trial at the last term of court. Judge Mason's contention was that it would cost the county too much money to include the names of Negroes in the box from which juries are selected.

Mr. Lane cited that failure to include Negroes was a clear violation of a supreme court decision handed down several years ago in the Scottsboro case.

Norfolk, Virginia
FRANKLIN, Va. — Immediately after a jury in the Isle of Wight County Circuit Court on Wednesday, September 15, returned a "no damage" verdict in the suit of the estate of the late Euie Chestnut against Police Officer Roland Burke, Judge B. D. White, dismissed the jury, set aside the verdict and awarded the plaintiff damages in the amount of \$6,000.

Chestnut was shot and killed by the officer on October 30, 1942. Claiming unwarranted slaying, the administrator of the slain man's estate, brought suit against the policeman for \$15,000 damages.

W. S. Holland of Suffolk and James G. Martin of Norfolk, two of the state's most prominent lawyers, through the aid of the Colored Protective Alliance, a local organization, were engaged to prosecute the complaint.

NO DEFENSE OFFERED

When the suit came to trial in the County Court House, where Judge White of Princess Anne County, was presiding, no defense was entered. In view of this fact the court impaneled a jury to set the amount of damages, but after considering the case, the jury disallowed damages. The court overruled the jury, and found for the plaintiff.

Officer Burk was tried at the May term of the criminal court on charges growing out of the shooting. On the stand, he admitted shooting Chestnut, because, as he said, he thought the man was a communist.

Burke admitted that he had no warrant for Chestnut's arrest, but testified that he had noticed a car being driven at a rapid rate of speed, gave chase which led to the town limit and into another county, and that when Chestnut stopped, he shot to halt him.

DIED IN HOSPITAL

Chestnut died a few minutes later in Raiford Hospital of a bullet wound in the back of the head.

COMMUNITY AROUSED

Feeling that the slaying was uncalled for, local colored citizens became aroused over the inci-

dent. They not only demanded prosecution of the policeman, but through the Colored Protective Association, aided the family by engaging Mr. Martin and Mr. Holland to press charges against the officer. The two lawyers vigorously prosecuted in the case, but an acquittal followed.

The civil action followed the acquittal, with the same counsel pressing for damages.

The \$6,000 award is to be divided equally among the brothers and sisters of the deceased.

James G. Martin who participated in the case has offices in the Western Union Building in Norfolk and is to be distinguished from James G. Martin, also lawyer, whose offices are in the National Bank of Commerce Building.

Sworn in and for the first time in memory of pioneer Atlantans and actually used in important trials were petit jurors Edgar Jenkins, a Pullman porter; H. L. Ferrell, retired railway mail clerk; and Robert McGhee, a locomotive fireman. The grand jury has been active in the current investigation of a bail bond racket in Atlanta, is M. Washburn, retired businessman.

Anti-Segregation Crusaders Seek United State Support

Conference Opens Fight on Jim Crow Buses, Trolleys and Trains in Va.

By RAPHAEL R. HARRIS

RICHMOND — Following a State-wide conference on Sunday at Richmond Beneficial Hall to map a program for ending segregation on buses, trolleys and trains in Virginia, an executive committee was busy this week enlisting active support for the program in every city, town and county.

Eighty delegates attended the conference, which was called by the Richmond Civic Council after the rise of sentiment for repeal of the segregation laws applying to transportation.

An editorial in the Richmond Times Dispatch calling for repeal was followed by appointment of a committee by Dr. W. L. Ransom, president of the council.

Dr. Reid, Chairman of the council's sponsoring committee, January 9 was set as the date for the next meeting at the Richmond Beneficial Hall, 700 N. Second Street.

Dr. Palmer declared at the meeting on Sunday that segregation is designed not only to separate the races, but also to force a symbol of inferiority on colored people.

Refusing Inferior Status
He said that more and more colored people will refuse to accept an inferior status, and trouble will result.

Dr. S. J. Lewis of Manassas de-

Puts Four Negroes On Atlanta Juries

Atlanta, Ga. — (ANP) — Indica-
Defender Chicago, Ill.
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clared that colored citizens must not be apologists, but must make maximum demands. More concessions will come as a result of such an attitude, he said.
He described as doubtful the motives of some white groups of offering aid in the fight on segregation, but said that all assistance should be accepted.
Funds were raised at the Sunday conference to begin a war chest for the campaign.

Labor Shortage

31-1943

Memphis, Tenn. ~~Commercial Appeal~~ January 7, 1943

FEDERAL GRAND JURY IS CALLED AT JACKSON

Secrecy Surrounds Inquiry To Begin Monday

FOR 'INTERNAL SECURITY'

Speculation Centers On Possibility Of Lynchings Or Draft Delinquencies As Cause Of Action

By KENNETH TOLER
From The Commercial Appeal
Jackson, Mississippi, Bureau

JACKSON, Miss., Jan. 6.—A special session of the Federal Grand Jury to consider internal security Wednesday was called to convene here next Monday and Tuesday by Federal Judge Sidney Mize.

Secrecy surrounded the calling of the session, with court attaches declining to reveal the exact purpose of the inquiry. It was known however, that at least one Department of Justice official from Washington was here and that the staff of the United States district attorney's office here was in conference in the afternoon with the Federal Bureau of Investigation.

Confers With FBI

Also here for a conference with the FBI was J. O. Day, United States district attorney of the Northern District. Others in conference with the FBI included Toxey Hall, United States district attorney for the Southern District, and his assistant, Stewart Broome, who handles criminal prosecutions.

Several months ago Atty. Gen. Francis Biddle ordered a thorough investigation by the FBI into three negro lynchings in Mississippi. Whether the grand jury session is in this connection could not be learned.

During the past few days inquiry has been made by Federal agents into the lynching of a negro at Laurel who had killed an aged dairyman. The negro was forcibly removed from the Jones County jail by a mob after a jury earlier the same day had found him guilty of murder and sen-

tenced him to life imprisonment. Several men were arrested in connection with the lynching but later released without being identified.

Purpose Unannounced

Conduct of county officers in connection with the mob action may have been probed by the Federal agents in view of the fact that the negro had been sentenced and was awaiting transfer to the state penitentiary.

In Clarke County two negro boys being held for trial on a statutory charge in connection with an attack on a young white girl were lynched.

It is not customary to announce the purpose for which grand juries are called and speculation was rife as to its purpose.

Some quarters thought it might deal with the recent order tightening up the draft statute with reference to delinquents, which would be in line with the internal security purpose mentioned by one of the court attaches.

The Northwest
Enterprise
Seattle, Washington

All-Negro Jury Not
Lent With Negro
APR 28 1943

BRUNSWICK, Ga., April 21.—An all-Negro coroner's jury, the first in the history of Glynn county, recommended that Columbus Holley, Negro, be held for the grand jury on murder charges.

Coroner J. D. Baldym, said he had heard some complaints from leading Negro citizens regarding previous inquests into Negro slayings and decided to summon an all-Negro jury. APR 28 1943

The jury recommended that Holley be held on a murder charge in the death of Willie Mitchell and on an involuntary manslaughter charge in the fatal shooting of Mitchell's wife.

Acquit Man
Of Grove
St. Slaying
FEB 19 1943
George Turner, 25,

Say Police Beat Him;

Forced Confession

George A. Turner, 25, was acquitted late Wednesday night of the Grove Street slaying of Samuel Bucher, white, on Oct. 2, after an all-white jury deliberating for five hours found him not guilty.

Trials for Mrs. Helen Batsell, 1429½ E. 18th and Vernon Clay, also being held in connection with the death of Bucher had not been set by the prosecuting attorney's office last week.

During the trial which continued for three days, Turner, ably defended by Atty. Marion C. Johnson, told of a week of nightmarish beatings he received at the hands of police before he signed a second confession admitting that he killed Bucher.

"I was kicked and beaten every night. They would let me go to sleep then wake me and turn on bright lights in my face. Some-times they threw cold water in my face and told me to confess. I finally confessed to killing him (Bucher) because I thought if I had given birth to some puppies could get over here (county court house) they wouldn't beat me."

Under cross examination the defendant stated that he was arrested on Oct. 2, a few hours following the finding of Bucher's body in an alleyway at 18th and Grove. On Oct. 3, Turner asserted that he signed a statement saying that he (Turner) had used a truck to push Bucher's car out of the alleyway so he could take an acquaintance, Cornelius (Sonny) Green home. Turner related that he and Green saw Bucher in his car but thought that Bucher was drunk. Green guided the wheel of Bucher's auto as he lay slumped in his auto. Turner stated that he found Bucher's empty purse on the running board of the car when he was in the act of helping Green, who was drunk, into the truck.

When asked by the prosecuting attorney if he (Turner) would have taken the money if there had been any in the pocket book, Turner replied: "Yes, I would have taken it."

In a second statement which Turner admitted signing, he stated that he had killed Bucher when Bucher argued with Mrs. Helen Batsell with whom Turner was living at 1429½ E. 18th St. The statement also contained the information that Bucher had bled in a closet of the apartment.

Turner described, too, clothing which Bucher was wearing the night before he was found dead.

Turner related that he signed this second statement after he had cruel beatings for six nights at the hands of police. About 2 a. m., sometimes between Oct. 3 and Oct. 8, according to Turner's sworn testimony, he was taken by four policemen to a spot near the Missouri river, where two shots were fired at him. Turner charged that he saw the fire from the gun as a policeman shot from the car as he (Turner) stood in front of the car lights.

Were you taken to hospital following any of the beatings? the prosecutor asked.

No, Turner answered, but Helen and Vernon (Helen Batsell and Vernon Clay) were beaten so badly they had to go to the hospital.

When asked how he could describe clothing Bucher was wearing when he was found, Turner told the court that he had been told the articles of wearing ap-times they threw cold water in my face and told me to confess. I finally confessed to killing him (Bucher) because I thought if I had given birth to some puppies could get over here (county court house) they wouldn't beat me."

A bit of the sensational was added to the trial on Wednesday afternoon when George Turner told the court of seeing a man with a gun attempting to get near him. The deputy sheriff, who had Turner in custody, told of pushing a man back from the elevator or as the two (Turner and the deputy) boarded the car. The deputy sheriff related that he did not see the gun, but that he (deputy) pushed the man away from the car. As the trial progressed the hall was searched for the man and the deputy sat near the entrance rail to the judge's chambers.

Turner has served a two-year term at Algoa for stealing a radio and a second term at the state prison for attempted burglary. He plead guilty both times.

Marion Johnson, attorney for Turner, broke down every major witness of the state and proved most contentions wrong.

Elmer Hodges and Van Lee were prosecutors in charge of the state's case.

If the Amendment, he says, is declared null and void by the Supreme court, it will not only permit department stores to discriminate against Negroes but will weaken the whole structure of the Civil Rights act. It is understood that the Supreme court will appeal the case to the State High court to test the constitutionality of the act. Many in the department stores, it is believed, are backing the defendant in making the appeal, in an effort to invalidate the amendment. Judge Bevan in rendering his decision, overruling the defendant's motion, said in part: "I believe it is fair that the Court take judicial notice of the fact that most people usually 'try on' hats, shoes and at least certain types of clothing, before buying them. It is reasonable to believe that the legislature, before passing this amendment, found it to be a fact that many stores selling clothing within the scope of police power, I cannot believe that such discrimination is an evil, which would be remedied."

Upholds Woman's Right To Try On Hat In Store

LINCOLN, Ill. — The jury's verdict in favor of Mrs. Townsend, counsel rendered here recent for the store, was in favor of Eloise Townsend, verdict based on the 1937 amendment to the famous "hat try-the Civil Rights law of Illinois, which was unconstitutional. The motion was opposed by Atty. S. Bevan by denying the defendant, not a motion for a judgment, notwithstanding the verdict. One of the most widely discussed cases of its kind to come up in recent years, Mrs. Townsend sued the Spurgeon Mercantile company here for refusing to allow her to try on a hat she had intended purchasing at the department store. Following the jury's verdict in favor of Mrs. Townsend, counsel rendered here recent for the store, was in favor of Eloise Townsend, verdict based on the 1937 amendment to the famous "hat try-the Civil Rights law of Illinois, which was unconstitutional. The motion was opposed by Atty. S. Bevan by denying the defendant, not a motion for a judgment, notwithstanding the verdict. One of the most widely discussed cases of its kind to come up in recent years, Mrs. Townsend sued the Spurgeon Mercantile company here for refusing to allow her to try on a hat she had intended purchasing at the department store.

2 Negroes On Grand Jury After 100 Years

Weekly Review
Birmingham, Ala. 1943
For the first time in one hundred years, the new Jefferson County Grand Jury, organized this week, has two Negroes on the panel. Their names are: Charles J. Wiggins and James Glover. Their names along with others were drawn from the box by circuit Judge John C. Morrow.

From time to time cases going before the U. S. Supreme Court have been reversed because, it has been contended that Negroes are systematically excluded from Grand Jury services in the South, although they do frequently serve on trial juries.

Judge Morrow and Jefferson County in using Negroes on the Grand Jury are doing democracy a great service, because the Negro jurors are a part of a great racial group. It has been contended in many quarters that all Negroes convicted or indicted by juries wherein Negroes were excluded because of race, were illegally indicted and convicted.

Two Negro Men Sit On New Grand Jury

A new Jefferson County Grand Jury, which included two Negro members, was sworn in Monday by Circuit Judge John C. Morrow, and began work at once on a docket of 75 cases.

Courthouse attaches said it was the first time Negroes ever sat on a Jefferson County Grand Jury. Names of the jurors were drawn by lot by Judge Morrow about two weeks ago, and until the jury roll was called it apparently was not known that two were Negroes: Charles J. Williams, a warehouseman, and James Glover, a candy maker.

John W. Bradshaw, a loading foreman, was named by Judge Morrow as foreman. Other members are Victor P. Plaire, traveling salesman; Robert B. Bollick, switchman; James T. O'Bryan, operator; George N. Goatley, proprietor; Robert C. Goad, railroad special agent; Gaither Carraway, clerk; Travis Woods, office assistant; Michael W. Perry, bookkeeper; Thomas G. McPherson, tractor operator; Joseph P. Self, carpenter; L. B. Ballard, carpenter; Richard E. Hites, pattern changer; William W. O'Neil, retired; Rush H. Parsons, superintendent, and John W. Walsingham, crew foreman.

Two Negroes Members Of Grand Jury

Birmingham, Alabama
Birmingham Post
Two Negroes are members of the new Jefferson County Grand Jury organized yesterday, for the first time in the county's history, so far as can be recalled by veteran Court-house officials.

The Negro members whose names were drawn from the box by Circuit Judge John C. Morrow, this morning are: Charles J. Wiggins, a warehouseman, and James Glover, a candy maker.

Negroes frequently appear on petit jury panels and frequently serve. Courthouse officials recalled in connection with the seating of the two Negroes on the grand jury that the notorious Scottsboro case was reversed by the U. S. Supreme Court after the first conviction of the nine Negroes on the grounds that Negroes were systematically excluded grand and petit jury service, and additional grounds that no Negroes were members of the grand jury that indicted them.

Judge Morrow appointed as foreman of the grand jury John W. Bradshaw, a Fairfield sheet mill loading foreman. Other members of the grand jury are: R. C. Goad, Richard E. Hites, T. G. McPherson, Travis Woods, John W. Walsingham, Robert B. Bollick, L. B. Ballard, William W. O'Neil, George N. Goatley, James T. O'Bryan, Joseph P. Self, Rush H. Parsons, G. V. Caraway, M. M. Perry and V. P. Plair.



by JOHN TEMPLE GRAVES

Age-Herald

Birmingham, Ala.

Two Negroes on the Jefferson County Grand Jury. That makes history. No wonder Negro leader ship here is proud. I believe this leadership is not forgetting to ask in this pride, "Are they good grand jurors, these two of our race who represent this 'advance,' Are they and the others of us thinking how we must be up to this new opportunity in excellence as individuals?" For such thoughts are worth at least half of colored people's attention now as evolution takes them to better things. It is

true for them and for all of us that from now on we have got to consider our individual qualifications for the things we ask and demand and seek, even as we do the asking, demanding and seeking. Negroes on the Grand Jury must be good Negroes, good jurors, good Americans. And they must judge the members of their race who are brought before them for guilt or innocence, never (as some of the Northern Negro leadership has so often done) presuming that because an accused is colored he must be innocent.

New Orleans (La.) Times-Picayune
November 15, 1943

Negro Qualifies To Serve as Juror In Winchester, Va.

Winchester, Va., Nov. 14.—For the first time in recent years, a Negro qualified for jury duty in Corporation Court yesterday in the trial of Harvey Lake, charged with knowing that apples he purchased were stolen.

Floyd Finley was the Negro who qualified.

Lake denied he knew the fruit was stolen. Judge B. P. Harrison withheld sentence in the cases of Jack Oliver and Weaver Welsh, truckers, who pleaded guilty to the theft of apples from Green and Earle while the fruit was in transit, pending completion of Lake's hearing.

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A DANGEROUS PRECEDENT 29 1943

The trial of Roy Sheffield before Superior Court Judge Hugh Todd, his conviction by a jury of his peers, his sentence to serve five years in prison by the presiding judge, raises questions of law which only a court of last resort should determine.

The guilt or innocence of Sheffield has no bearing on the point in question. We are willing to concede the verdict of the jury was fair. We do, however, doubt the wisdom of Prosecuting Attorney Shorett in resurrecting a law of doubtful import, which clearly contravenes a fundamental law of the land, in order to convict—hoping his defendant will be unable to follow the conviction to a final conclusion. The Northwest Enterprise

In the case of the State of Washington vs. Roy Sheffield, the prosecuting attorney took the two chief witnesses for the state before a justice of the peace. He had them make statements and perhaps they were properly interrogated. A justice court's jurisdiction is limited. The justice court could not have imposed a sentence equal to that given Sheffield. Yet that same testimony sent Sheffield to prison for five years. Seattle, Washington

At the trial the prosecuting attorney, unable to locate the state's chief witnesses introduced testimony to show that neither his office nor the office of the Sheriff were able to locate the witnesses although a diligent search had been made. With this showing he was able to introduce the statements of witnesses made before the justice of peace as a matter of law.

Ironically enough, Defendant Attorney Ralph Hoar, with only forty cents in his pocket located one of the witnesses confined in jail in Tacoma and had been so confined for a long time. This same witness stated that she was told that if she appeared at the trial she would get the same that Roy Sheffield would get.

We gladly concede that Judge Hugh Todd is as fair as any judge that ever sat on the bench in King County. Yet we doubt the wisdom of His Honor in permitting the statements of the absent witnesses to go to the jury. Because these statements were made before a justice of the peace who could not have imposed a similar sentence even though the defendant were before him. If a jurist is compelled to follow any law enacted by the state he serves, good or bad, then we admit the judge was wise.

We quote the 6th amendment to the constitution: "In all criminal prosecutions, the accused shall enjoy the right to a speedy and public trial, by an impartial jury of the State and district wherein the crime shall have been committed, which district shall have been previously ascertained by law; and to be informed of the nature and cause of the accusation; to be confronted with the witnesses against him; to have compulsory process for obtaining witnesses in his favor, and to have the assistance

of counsel for defense." If the State of Washington may enact a law contravening that law, then the constitution is nothing more than another scrap of paper. We were taught that law in its final analysis was plain common sense. To us this is nonsense.

Negro's Indictment Dropped Since His Race Not On Jury

JAN 16 1943

Tallahassee, Fla., Jan. 15 (P)—

An indictment charging an Escambia County Negro with the rape of a white woman was thrown out by the Supreme Court today on the ground that Negroes were systematically excluded from the grand jury.

It was the first case in which the question of excluding Negroes from the jury was raised as the main point before the Florida court since federal court rulings that the practice violates constitutional rights of Negro defendants.

The only other question was whether the Negro, Will Lewis, forfeited his right to challenge competency of the grand jury because he failed to do so.

To follow the criminal code in the Lewis case, the court ruled, would force him to "defend against a probability that may never become a reality."

A Liberal Interpretation

In passing upon the case of Will Lewis, of Escambia County, Florida, who was charged with assaulting a white woman, the Florida Supreme Court ruled to quash the conviction on the grounds that Negroes had been systematically excluded from the grand jury.

In thus overruling the decision of the lower court, the State Supreme Court was guided in its action by rulings of the Federal Court that the practice of excluding Negroes from jury service was a violation of their constitutional rights, thus making the first time that a Florida court ever raised the jury issue.

In the ordinary process of justice, cases like this, lacking sufficient funds of popular interest, except aided by the National Association for the Advancement of Colored People, usually fail to proper adjudication, and in consequence, die with the decisions of the lower courts. It is heartening, therefore, to learn of the liberal interpretation given this extraordinary case. It reflects, not only for Florida, but we believe, for the South, a growing liberality in the interpretation of civil rights for Negroes by southern courts of justice.

With profit, both to the Negro and the nation, southern states could well afford to take the initiative in equalizing educational opportunities for Negro children and salaries for Negro teachers. There is ample precedent in the Federal Supreme court ruling in the Lloyd Gaines' decision for the South to follow, just as they are now beginning to follow its decision against the exclusion of Negroes from jury service. A liberal view in this, as in other matters, would not only save the expense of trials and court actions, but will also create a more generous spirit of cooperation between

the colored and white citizens of the South, who must live and work together.
from American
Baltimore, Md.

ESTATE IS UNSETTLED

Negro Beneficiaries Haven't Received Fortune Yet

Oklahoma City, Jan. 26.—(P): Two Kansas City negro packing plant workers who were informed many months ago that they'd inherited half a \$15,000,000 estate learned yesterday that they haven't. Not yet. The Oklahoma supreme court reversed a Creek county district court decision that had awarded half the oil fortune of Lete Kolvin, incompetent Creek Indian woman, to Floyd and Willie Mayweather, the negroes. The other half had been divided among forty-five other claimants.

Out of court negotiations between the opposing parties were resumed today.

Fla. High Court Bans Grand Jury Exclusion

JAN 23 1943

TALLAHASSEE, Fla.—Ruling that colored persons were systematically excluded from the Escambia County Grand Jury, the Florida Supreme Court on Friday threw out an indictment against Will Lewis, indicted in that county for an alleged attack on a white woman.

The decision, written by Justice Glenn Terrell and affirming the ruling of the Escambia County Circuit Court, pointed out that the State did not deny that the grand jury which indicted Lewis "was empaneled in violation of his constitutional rights."

This was the first case in which the question of excluding colored persons from juries was raised as the main point before the Florida court since Federal court rulings that such practice violates the constitutional rights of colored defendants.

State Code Rapped

The other main point involved in the case was whether Lewis forfeited his right to challenge competency of the grand jury because of failure to do so before it was empaneled, as prescribed by Florida criminal code.

Outlawing this clause in the Florida code, the court ruled that to follow the criminal code in the Lewis case would force him to "defend against a probability that may never become a reality."

Pointing out that "the law presumes him innocent until his guilt is established," the opinion said that "to require him to defend before he is indicted would in effect repeal this long-settled and approved precept."

Journal and Guide
Norfolk, Virginia
Name 1st Negro
Grand Juror In
History Of L. A.

LOS ANGELES, Calif.—(ANP)—Although five of the pioneer families that founded the "Pueblo De Los Angeles" on Sept. 4, 1781, were of Negro blood, 1943 will be the first time that a Negro citizen has served on the Los Angeles County Grand jury.

This member-to-be is Mrs. Charlotta A. Bass, editor-publisher of the California Eagle.

So epochal did the Los Angeles Daily Examiner consider this to be that in a special article it said: "For the first time in the history of Los Angeles county, a Negro may become a member of the county grand jury this year. The name of Charlotta A. Bass, publisher of the California Eagle, was drawn among the 30 names. Publisher Bass had been nominated by Superior Judge Georgia Bullock."

Data for the final examination as to the qualifications of the 20 men and 10 women listed for grand jury service was set for Jan. 26.

Constitution
Atlanta, Georgia
All-Negro Jury Orders
One of Own Race Held

BRUNSWICK, Ga., April 20.—(P)—An all-Negro coroner's jury, the first in the history of Glynn county, today recommended that Columbus Holley, Negro, be held for the grand jury on murder charges.

Coroner J. D. Baldwin said he had heard some complaints from leading Negro citizens regarding previous requests into Negro slayings and decided to summon an all-Negro jury.

The jury recommended that Holley be held on a murder charge in the death of Willie Mitchell and on an involuntary manslaughter charge in the fatal shooting of Mitchell's wife.

crimination and to be a denial of due process of law and the equal protection of the laws to the condemned men.

The petition for a writ of habeas corpus filed by the three men was dismissed by the United States Court for the district of Maryland on the procedural ground that the alleged killers, represented by competent counsel at their trial, interposed no objection to the composition of the grand jury, and that they submitted no evidence in support of their charge of race discrimination in the composition of the grand jury.

APR 10 1943

It was also denied on the ground they had not shown any intentional, arbitrary or systematic exclusion of colored persons from the jury panel.

Attack On Baltimore Jury System Goes To High Court

WASHINGTON, D. C. — The United States District Court for Maryland refused to release the condemned men on a writ of habeas corpus.

The attorneys contend that the three men were not convicted by due process of law because of "racial discrimination in the selection and composition of the grand and petit juries by which they had been indicted and tried in the state court."

The grand jury of twenty-three members which indicted the men, as well as each grand jury for it is asserted, the number of colored persons included was so much less than the proportionate percentage of the colored population as to amount to race discrimination.

Advertiser
Montgomery, Ala.

Civil Rights In The South

APR 29 1943

(By CARROLL KILPATRICK in Raleigh News and Observer)

The Civil Rights Division of the Department of Justice, which several times lately has intervened in cases involving the violation of civil liberties in the Southern States, last week won an important verdict from an Alabama jury and lost an important case before a Mississippi jury.

The department believes that it has made significant progress in the cases it has handled and that it is winning support from local police officers and other State officials. It says that it also is learning something about the Southern people.

A Federal jury in Mississippi, after being out only 15 minutes Saturday morning, acquitted several white men indicted for participating in the lynching last October of Howard Wash, a Negro. The department was not surprised by the jury action, though it had hoped for something more than it got.

Nevertheless, officials here argue, it is going to be a long time before Mississippians forget the trial. They will know that the Federal government, without benefit of an anti-lynch law, will be hot on the trail of the lynchers and the officers who permit the lynching.

It is significant to note in the Department of Justice a feeling that the case would not have been won even had there been an anti-lynch law on the statute books. Mississippians were being tried in a Federal court by a jury of their peers, who also were Mississippians, and no Federal law could have helped make a difference in their decision. At least, that is the opinion of officials here who have handled the case.

In Alabama a Federal Grand Jury indicted Sheriff Edwin Eugene Evans and Deputy Sheriff Henry Franklin Faucett, of Macon County, on charges of brutality toward prisoners—white and colored—over a period of three years.

The case was presented to the Grand Jury by Edward Burns Parker, United States attorney for the Middle District of Alabama, and G. Maynard Smith, special assistant to the Attorney General. Wendell Berge, assistant attorney general under whose direction the case was presented, said:

"A brutal killing of a Negro convict by the high sheriff of Macon County, Alabama, was today labeled by a Federal Grand Jury of Alabama citizens as a Federal crime. The case was presented by an Alabama lawyer (Parker), and a lawyer from the department (Smith), who was formerly city solicitor of Calico, Ga. The Grand Jury was under the supervision of another Alabama lawyer, the judge of the Federal district court.

"Thus, Southern jurors and Southern lawyers brought this indictment under the civil rights statutes of the United States Code."

Victor W. Rotnem, chief of the Civil Rights Division, announced that the original complaints received by the Federal Bureau of Investigation were from local law-enforcement officers of the State of Alabama who cooperated throughout with Alabama Federal officials.

A week before the Alabama Grand Jury handed down its indictment of Sheriff Evans and Deputy Sheriff Faucett, a Georgia Grand Jury returned a similar indictment against a Georgia police officer.

Two years ago the Federal government

won a case (U. S. vs. Culp) which involved a similar incident in Arkansas. Police officials had been holding kangaroo court in the jail, and they were indicted and convicted.

APR 29 1943
News
Birmingham, Ala.

Negro Justice

One hears sometimes the statement that Negroes are too loyal to their own race to be trusted to sit on juries where a Negro stands accused. The assumption is, of course, that only white juries can give justice to a Negro.

An answer to that idea has been written in Georgia. In Brunswick, Coroner J. D. Baldwin said he had heard complaints from leading Negro citizens regarding previous inquests into Negro slayings and he decided to summon an all-Negro coroner's jury. The result was that the accused Negro was ordered held by the jury, on a murder charge.

There is little in experience to show that the Negro, when charged with legal responsibility, is so blinded by racial loyalties as not to be able to give justice to other Negroes.

APR 29 1943
APR 23 1943

Accused Of Rape, No-billed By Jury

HOUSTON George Minor, of 1510

Capron, who was charged with attempted rape after having been identified by Mrs. Yates, according to police records, as the man, who criminally assaulted her on the 23rd of March, was no-billed by the Harris County Grand Jury because of the lack of sufficient evidence.

According to the police record Mrs. Yates in her charge had stated that she was approached by a man on the night of the 23rd of March and forced into a vacant lot where he attempted to assault her. Police summoned by neighbors, who witnessed the actions, arrived before the man could carry out his plans.

Minor was later arrested and brought before Mrs. Yates and she identified him as her assailant.

In the hearing before the Grand Jury statements were brought out that Minor could not have been the possible assailant of the woman and when no evidence to the contrary could be brought. The Grand Jury no-billed Minor under no-bill No. 137270.

It was pointed out that Minor has been a married man for the past 11 years and that he at present is living with his wife at the Capron street address.

Negroes Serving On

Daily World Atlanta, Georgia

Grand, Petit Juries

BY ROBERT M. RATCLIFF

Negroes are now serving as grand jurors and petit jurors at the Fulton County Courthouse.

One colored man was paid Thursday morning for a week's work as petit juror and another is serving on the present jury of Fulton County.

Three colored men received summons to serve as petit jurors this week, but two of them asked to be relieved of jury duty.

The name of another colored man has been drawn for the July-August term of the grand jury and two other Negroes have been selected to serve as petit jurors next week.

To the average colored person this is a sudden change on the part of Fulton County court. It has been nearly ten years since a Negro served on the Fulton County grand jury and approximately seven years since a colored man has been serving as a petit juror for the county of Fulton.

One courthouse official explained that this is not a sudden change. "We've had the names of colored persons in the box all the time," he said, "but, it so happens that we are just getting to them."

Serving this week as a petit juror was Richard W. Walton, of 1001 Michigan Avenue, N. W.

The colored member of the present grand jury is O. A. Arnold, a contractor of 374 Hilliard Street, N. E.

Alex D. Hamilton, a contractor of 102 Howell Street, N. E., has been selected to serve on the Fulton grand jury during the July-August term.

The names of Oliver Washington, of 323 Pine Street, N. E. and Henry Lomax, 383 Newport Street, N. W. are on next week's petit jury list.

The two colored men who were scheduled to serve as petit jurors this week, but were excused by the court, were Ike H. Lee, Chattahoochee, Georgia, and J. H. Starkes, 505 Dunbar Street, S. W.

Court attaches recalled that the late C. A. Faison, a barber, was the last Negro to serve on the Fulton County grand jury. That was approximately ten years ago.

About seven years ago two colored farmers served as petit jurors.

According to court officials, the box from which names are drawn

for jury service contains approximately 850 Negroes, 700 for petit jury service and 150 for grand jury duty.

These names, not only are in the box, but are printed in book form and distributed among court attaches.

To serve on a jury a citizen must be a tax-payer, have a good reputation and a clean record. Birmingham, Ala., Age-Herald, October 5, 1943

NEW GRAND JURY ORGANIZED HERE

Negroes Are On County Inquisitorial Body For First Time

A Jefferson County Grand Jury which for the first time in Jefferson County's history included Negroes, was organized Monday by Circuit Judge John C. Morrow, and began work on a docket of about 75 cases, which was expected to keep the jury busy through Wednesday.

Names of the men to compose the Grand Jury were drawn from a hat more than two weeks ago by Judge Morrow, but it was not known until Monday that two of the 18 prospective jurors were Negroes.

Courthouse observers said it was the first time that Negroes had served on the Grand Jury. Negroes have served on the county Grand Jury which was organized here since the Scottsboro and other recent U. S. Supreme Court rulings condemned the alleged exclusion of Negroes from jury service.

The two Negroes on the Grand Jury were listed as Charles J. Wiggins, a warehouseman, and James Glover, a candy-maker.

Besides Wiggins and Glover, and John W. Bradshaw, a loading foreman who was designated by Judge Morrow to serve as jury foreman, Grand Jury members include:

Victor P. Plair, traveling salesman; Robert B. Bolick, switchman; James T. O'Bryan, operator; George N. Goatley, proprietor; Robert C. Goad, railroad special agent; Gaither Carraway, clerk; Travis Woods, office assistant; Michael W. Perry, bookkeeper; Thomas G. Mc-

Pherson, tractor operator; Joseph P. Self, carpenter; Lemuel B. Ballard, carpenter; Richard E. Hites, pattern-changer; William W. O'Neil, retired; Rush H. Parsons, superintendent, and John W. Welsingham, crew foreman.

3 Negroes On Trial Jury In Superior Court

Daily World Atlanta, Georgia

Fulton Superior Court evidenced healthy signs of the approach of robust American democracy for all groups here, Tuesday, when three Negroes, serving on a 12-man jury, handed down a verdict of guilty against William Patterson.

The Negro jurors were Edgar Jenkins, a Pullman Porter, who resides at 384 Henry St., SW; H. L. Ferrell, prominent fraternal and civic leader, residing at 349 Irwin St., SW; and Robert McGhee, a railroad man, who gives his address as 20 Burbank Drive, NW.

Court House attaches spoke in high terms of the services of the Negro jurors, and in two instances, they pointed out the significance of Negro jurors in that they voted a heavy penalty for Patterson, whereas, a day previous a white jury, under almost similar circumstances, recommended a light sentence for a Negro.

News Birmingham, Ala. Limestone Grand Jury Has Negro First Time

ATHENS, Ala. — For the first time in this county's history, a Negro is sitting on the Grand Jury. Roy Farrer, one of the outstanding Negroes of the county, was in the Grand Jury which was organized here by Judge Julian Harris, of Decatur, Monday. Several Negroes have been on petit jury panels here since the names of reputable Negro citizens were placed in the jury box.

JURIST ^{AND} DISMISSES CASE AGAINST WAR INDUSTRIES

Charles L. Stilwell, president of one of the companies testified under cross-examination by Attorneys Chester K. Gillespie, Clayborne George and Harvey J. Johnson, that his firm was nine months behind in its war production schedule and admitted that it was possible that not hiring Negro workers was a contributing factor. He declared, however that attempts to use Negro help were blocked by strike

"They have violated this agreement, and we believe that there is

Background of Case

nolle passed last week after the
government transferred to the d

St. Louis, Mo., Sept. 10, 1906.

[illegible]